

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

DYNAENERGETICS EUROPE GMBH, and
DYNAENERGETICS US, INC.,

Plaintiffs,

v.

NEXTIER COMPLETION SOLUTIONS
INC.

Defendant.

Civil Action No: 6:20-cv-01201-ADA

NEXTIER COMPLETION SOLUTIONS
INC.,

Plaintiff,

v.

DYNAENERGETICS EUROPE GMBH ET
AL,

Defendants.

Civil Action No. 6:21-cv-01017-ADA

JOINT MOTION FOR CONSOLIDATION

NOW COME DynaEnergetics Europe GmbH and DynaEnergetics US, Inc. and NexTier Completion Solutions Inc. (collectively, “the Parties”) in the above captioned cases, and file this motion for consolidation and in support would respectfully show the Court as follows:

I.

The Parties move to consolidate 6:20-cv-01201-ADA *DynaEnergetics Europe GmbH et al v. NexTier Completion Solutions Inc.* (hereinafter referred to as the “-1201 Case”) and 6:21-cv-01017-ADA *NexTier Completion Solutions Inc. v. DynaEnergetics Europe GmbH et al*

(hereinafter referred to as the “-1017 Case”) for all purposes, including through trial and any appeals, and to align the schedules in the two cases pursuant to the existing Proposed Scheduling Order, Dkt. No. 44, in the -1201 Case.

II.

Judge Rosenthal’s Order granting the Parties’ Unopposed Motion to Lift Stay and Transfer Case to Western District of Texas on October 1, 2021, Dkt. No. 42, in the -1017 Case demonstrates that both the Court and the Parties intend that the transfer of the -1017 Case result in consolidation of that action with the action pending before Judge Albright in *DynaEnergetics Europe GmbH et al v. NexTier Completion Solutions, Inc.*, No. 6:20-cv-1201 (W.D. Tex)).

WHEREFORE, the Parties, move for an order consolidating these cases for all purposes, through trial and any appeals.

Dated: October 18, 2021

Respectfully submitted,

By: /s/Eric H. Findlay

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document *via* the Court's CM/ECF system per Local Rule CV-5(a)(3) on October 18, 2021.

/s/ Eric H. Findlay
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